



POCKET NO. 7732-020-27 DIV

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICATION OF: MICHAEL CLIMO, ET AL.

ART UNIT: 1631

SERIAL NO.: 09/665,077

EXAMINER: UNASSIGNED

FILING DATE: SEPTEMBER 19, 2000

FOR: COMPOSITIONS AND METHODS FOR TREATMENT OF  
STAPHYLOCOCCAL INFECTION WHILE SUPPRESSING  
FORMATION OF ANTIBIOTIC-RESISTANT STRAINS

**SUPPLEMENTAL PRELIMINARY AMENDMENT**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

SIR:

Prior to examination on the merits, entry of the following amendments to the above-captioned patent application is respectfully requested.

**IN THE SPECIFICATION:**

Please amend the specification as follows.

**Before the section entitled "BACKGROUND OF THE INVENTION" at page 1, line 4, please insert the following:**

A1 --This invention was made with the support of the United States Government under STTR Grant Number R41-HL60334-01, which was awarded by the National Institutes of Health. The United States Government may have certain rights in this invention.--

**Delete the second full paragraph at page 3, line 17-page 4, line 5 and insert therefor the following:**

A2 --Numerous articles have noted the development of resistance to either lysostaphin or  $\beta$ -lactams, such as methicillin, and the relationship there between. Thus, DeHart, et al.,



PIPER MARBURY  
RUDNICK & WOLFE <sup>LLP</sup>  
1200 NINETEENTH STREET, NW  
WASHINGTON, DC 20036-2412  
TELEPHONE: 202-861-3900  
FACSIMILE: 202-223-2085

#4 P7  
A 12/16/01  
RECEIVED  
JUN 01 2001  
TECH CENTER 1600/2900

DOCKET NO.: 7732-020-27 DIV

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Re: Serial No.: 09/665,077  
Applicant(s): MICHAEL CLIMO, ET AL.  
Filing Date: SEPTEMBER 19, 2000  
For: COMPOSITIONS AND METHODS FOR TREATMENT OF  
STAPHYLOCOCCAL INFECTION WHILE SUPPRESSING FORMATION  
OF ANTIBIOTIC-RESISTANT STRAINS  
Group Art Unit: 1631  
Examiner: UNASSIGNED

SIR:

Attached hereto for filing are the following papers:

SUPPLEMENTAL PRELIMINARY AMENDMENT INCLUDING ATTACHMENTS (2)

Our check in the amount of \$ -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary extension of time to make the filing of the attached documents timely, please charge or credit the difference to Deposit Account No. 50-1442. Further, if these papers are not considered timely filed, then a request is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER MARBURY RUDNICK & WOLFE LLP

*Laura D. Nammo*

Steven B. Kelber  
Attorney of Record  
Registration No.: 30,073

Laura D. Nammo  
Registration No.: 42,024